

HALL COUNTY BOARD OF SUPERVISORS MEETING MARCH 7, 2006

The Hall County Board of Supervisors met March 7, 2006, by published call in the county board meeting room, 121 South Pine, Grand Island.

CALL TO ORDER - The meeting was called to order by Chairman James Eriksen.

INVOCATION - Invocation was given by Chairman Eriksen.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison.

ROLL CALL - Present on roll call were, Scott Arnold Jim Eriksen, Richard Hartman, Bob Humiston, Bud Jeffries, Pamela Lancaster and Robert Rye. Also present was a representative from the *Grand Island Independent* and Deputy County Attorney Michelle Oldham.

CONSENT AGENDA – Lancaster made a motion and Jeffries seconded to approve the following by consent agenda:

1. Accept and place on file the minutes of the February 21 meeting
2. 5a Accept and place on file the public works quarterly report
3. 5b approve and authorize the chair to sign the agreement with Nebraska Department of Roads for Project NH 34-4(129)
4. 6 Approve the Amusement license for Mid Nebraska Speed Way
5. 15 Approve the final plat and Resolution #06 0014 for M. L. Harris Subdivision
6. 16 Approve the bi weekly pay claims
7. 23 Accept and place on file the office reports of the County Sheriff, County Court, Hall and Howard County Juvenile Diversion
8. 24 Accept and place on file the Hall County Treasurer's Miscellaneous Receipts
9. 25 Accept and place on file communications as received.

Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

OFFICE REPORT HALL COUNTY JUVENILE SERVICES FEBRUARY 2006

JUVENILE REFERRALS	45 JUVENILES
JUVENILE OFFENDERS	3 JUVENILE
JUVENILE HOUSE ARREST	2 JUVENILES
TOTAL UNDER SUPERVISION	241 JUVENILES
FEES COLLECTED	\$915.00

OFFICE REPORT
HOWARD COUNTY JUVENILE SERVICES
FEBRUARY 2006

JUVENILE REFERRALS	12 JUVENILES
TOTAL JUVENILE ENROLLEES	26 JUVENILES
FEES COLLECTED FOR MONTH	\$ 300.00
TOTAL FEES COLLECTED FISCAL YEAR	\$1,555.00

OFFICE REPORT
COUNTY COURT
FEBRUARY 2006

FINES (CO.)	\$ 59,222.62
OVERLOAD FINES	1,725.00
REIMBURSE SHERIFF FEES	2,195.93
WORK RELEASE FEES	523.00
REIMBURSE FAX COPIES	33.00
FINES (CITY)	10,300.26
REIMBURSE WITNESS FEES	623.73
BOND FORFEITURES	2,531.00
REIMBURSE CO. FEES	204.75
TOTAL	\$77,369.29

OFFICE REPORT
HALL COUNTY SHERIFF
JANUARY 2005

TOTAL FEES MILEAGE & MISC	\$16,180.49
COPIES	44.00
HANDGUN APPLICATIONS	70.00
TITLE INSPECTIONS	2,060.00

COUNTY ATTORNEY 2a DISCUSSION AND ACTION OF LITIGATION REGARDING TERC CASES – Deputy County Attorney Michelle Oldham was present. This was discussed at the last meeting but no formal action was taken. She is requesting the board to authorize her to make a settlement offer to Home Depot.

Lancaster made a motion and Arnold seconded to authorize Michelle Oldham to confess judgment with Home Depot in the amount of \$6.5 million. Arnold, Eriksen, Hartman, Humiston, Lancaster and Rye all voted yes and Jeffries voted no. Motion carried.

EXECUTIVE SESSION PERSONNEL/LITIGATION – Lancaster made a motion and Arnold seconded to go into executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried. County Attorney Mark Youn was also present for the executive session.

9:10 a.m. executive session

9:55 a.m. Hartman made a motion and Jeffries seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Lancaster made a motion and Jeffries seconded to hire an auditor to do an audit of the computer department's billings. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Lancaster made a motion and Jeffries seconded to hire outside legal council for a civil claim on the computer billings. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

PUBLIC PARTICIPATION – Chairman Eriksen called for public participation and no one responded.

8 DISCUSS FILLING VACANCY TO HALL COUNTY AIRPORT AUTHORITY BOARD – The County board received a resignation from Philip Wojtalewicz, a member of the Hall County Airport Authority Board, effective April 1, 2006.

Jeffries made a motion and Arnold seconded to advertise for applications for the position March 12, 15 and 19 and set a date for the interviews. Discussion was held. Hartman questioned why the board could not use the applications that they received before. It was decided to advertise again. The resumes will be due by 8:30 a.m. March 22 and a special meeting for the interviews will be held March 23 at 6:00 p.m. Arnold, Eriksen, Humiston, Jeffries, Lancaster and Rye all voted yes and Hartman voted no. Motion carried.

PUBLIC HEARING FOR APPOINTMENT OF SUCCESSOR TRUSTEES FOR HOSPITAL AUTHORITY #1 OF HALL COUNTY NEBRASKA – Lancaster made a motion and Jeffries seconded to open the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Deputy County Attorney Michelle Oldham stated that the petitions were submitted to the County Clerk by Tom Molacek and it is necessary by state statute to hold a public hearing for the appointments. There was concern last year on the number of members on the board and now one member is deceased so it is necessary to reappoint the members and set the length of their terms.

Chairman Eriksen called for public participation and no one responded.

Jeffries made a motion and Arnold seconded to close the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Jeffries made a motion and Hartman seconded to approve Resolution #06 0015 Appointing the members to the Hall County Hospital Authority Board and setting their terms of office. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

12. REUSE COMMITTEE RECOMMENDATIONS – Chairman Eriksen called for discussion.

Gary Hedman, Doniphan, Nebraska, President and CEO for Southern Public Power District was present. He stated he is here to request the designation of the property to enlarge one of their sites. He stated he will be releasing information today regarding a proposed agreement with American Ethanol to build a plant on the CAAP industrial site. The plans propose to install a rail loop system on the property and the current ground is too narrow. He stated that at the Reuse meeting yesterday there was discussion regarding taxes and noted that if there is a 100 million dollar plant the total tax benefit to the county would be over \$800,000.00 on personal property. He provided a copy of the press release the board members that included discussion on the tax increment financing. He also thanked the board on their support of the proposed constitutional amendment LR 282 and stated he would like to see this go forward. He stated that there are no special conditions to sell the property based on TIF financing.

Larry Linder with Nebraska Public Power District was present He is an environment compliance specialist from Columbus Nebraska. He stated that they also support the transfer; if the rail is developed it will assist in their future development.

Hartman questioned why nothing has happened on the development of a power plant. Mr. Linder stated they are still looking at Grand Island and if an ethanol plant is developed there would be a need for more development.

Jeffries questioned what determines if and when the land is clean and noted that these parcels are in the heart of the contaminated area.

Greg Baxter, 2121 Monitor Road, Grand Island was present. He attended the Reuse Committee meeting yesterday and read a statement addressing how the Reuse Committee was formed and that the initial plan was to put the property back on the tax rolls. He expressed concern on how SPPD and NPPD are acquiring the land and also expressed concern that they would have tax free status. He also read a letter from his father stating his concerns

Hartman questioned if the ethanol plants actually do increase the price of corn.

Gary Hedman responded to Mr. Hartman questions stating that their research department has addressed this issue and their information states that it does increase the price of corn. Hartman also noted that the by products are good for the cattle feeders.

Greg Baxter addressed the use of the by products from the ethanol plants. There are environmental regulations that the cattle feeding industry must follow because of the high phosphorus level in the solid waste from feeding the by-products. Hartman questioned the ratio that can be used.

Ned Nelson, 518 East Capital Avenue, Grand Island requested to address the board. The expressed concern regarding the amount of water that they use. If there continues to be drought this may have a serious impact on the ground water.

Eriksen stated that the Reuse Committee met and there were only 5 members present so there was no official recommendation from the committee. He stated that when the land was designated the current owners they have tried to dispose of the land as quickly as possible but there are still areas that need to be cleaned up. There are still negotiations with the federal government on the transfer of the land.

Eriksen stated that there is a resolutions prepared for the County Board's approval.

Hartman made a motion to deny the request for designation of the property at CAAP. Motion failed no second.

Arnold made a motion and Lancaster seconded to approve Resolution #06-0016 A RESOLUTION DESIGNATING SOUTHERN PUBLIC POWER DISTRICT AS TRANSFEREE OF PROPERTY LOCATED AT THE CORNHUSKER ARMY AMMUNITION PLANT. Arnold, Eriksen, Humiston, Lancaster and Rye all voted yes and Hartman voted no. Motion carried.

Lancaster made a motion and Arnold seconded to authorize the chair to sign the assignment. Arnold, Eriksen, Humiston, Lancaster and Rye all voted yes and Hartman voted no. Motion carried.

Eriksen stated that Milt Moravek and Ron Bishop were also at the Reuse Committee meeting. They are requesting that Tract #21 be designated for the Silver Creek Prairie Creek Flood control project. They need additional ground for the detention cells.

Jeffries made a motion and Arnold seconded to approve Resolution #06-0017 A
RESOLUTION DESIGNATING CENTRAL PLATTE NATURAL RESOURCES DISTRICT
AS TRANSFEREE OF PROPERTY LOCATED AT THE CONHUSKER ARMY
AMMUNITION PLANT. Arnold, Eriksen, Humiston, Lancaster and Rye all voted yes and Hartman voted no. Motion carried.

Jeffries noted that there were concerns on the detention cells and if there would be seepage, but the cells are lined with clay and the water is only there for a short time. This project will reduce the flooding in northwest Grand Island.

Hartman expressed concern that there will be seepage from the detention cells.

11:05 a.m. Held a board of corrections meeting.

11:36 a.m. Rye made a motion and Hartman seconded to recess the Board of Corrections meeting. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

11. DISCUSS AND TAKE ACTION ON RESOLUTION REGARDING BOND PURCHASE AGREEMENT – Paul Greiger and Dan Smith with Kirkpatrick Pettis were present. Mr. Smith stated that they were here a month ago and since then have advertised the bonds in the local newspaper. Edward Jones was very active and sold \$2 million of the bonds locally. Shortly after the election the rate was discussed and they thought it would be higher but as of last Wednesday the rate came in at 4.32%. The County has a 30 year loan at 4.5%. The bonds have a 5-year call and can be refinanced at that time.

They have a financial guaranty insurance policy with MBIA Insurance Corporation, and the premium cost was \$91,000.00, Mr. Smith stated that he felt this was an excellent deal. They have prepared the resolution, the bond purchase agreement and bond documents for the board's signatures and approval.

Lancaster made a motion and Jeffries seconded to approve Resolution #06-0013 to issue the general obligation bonds in the amount of \$22,225,000.00 and set the maturity amounts. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Chairman Eriksen called for a break for the board members to sign the resolution and all of the bond documents.

11:53 a.m. Jeffries made a motion and Rye seconded to return to the board of corrections meeting. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

12:05 a.m. Returned to regular session.

9. DISCUSS AND APPROVE AMENDMENT TO HEALTH PLAN FOR ELIGIBLE 0-TIER OVER THE COUNTER PRESCRIPTIONS - County Clerk Marla Conley stated that this amendment to the health plan was discussed at renewal time. This will add another tier to the prescription coverage that will allow plan members to purchase over the counter medications with a prescription from the doctor at no cost.

Hartman made a motion and Jeffries seconded to approve amendment #4 to the health plan. Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no with Arnold absent for the vote. Motion carried.

DISCUSS AND TAKE ACTION ON LEGISLATIVE BILLS – Stacey Ruzicka included information in the packets some of the bills have been killed at the committee level. She noted the priority bills and stated that LB 898 regarding the open meeting act should receive some action. She also attached information regarding the eminent domain proposed legislation. She also noted that once a bill is placed on general file and it proceeds there is no notice when it will be heard. The board did not have any questions.

Chairman Eriksen stated that Dave Arnold submitted his resignation and the board accepted it. Mr. Jimmy Vann is the assistant director and Mr. Eriksen asked Mr. Vann if he would serve as the interim director. Mr. Vann stated that he would. The salary issue will be referred to the corrections steering committee and it will be addressed at the next board meeting.

17 DISCUSSION AND POSSIBLE ACTION REGARDING THE INTERLOCAL AGREEMENT FOR THE PUBLIC SAFETY CENTER – Chairman Eriksen reminded the board members of the joint meeting with the City of Grand Island regarding the proposed agreement. A packet of information was included. Deputy County Attorney Michelle Oldham stated that she has reviewed the agreement.

Meeting recessed until 5:30 p.m.

Marla J. Conley Hall County Clerk